



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC 20416

July 19, 2021

Susan Minson
SBA Desk Officer
Office of Management and Budget

Dear Ms. Minson:

Pursuant to the Office of Management and Budget (OMB) procedures in 5 CFR Part 1320, SBA requests emergency review of revisions to the collection of information for the Paycheck Protection Program Loan Program (PPP Loan Program). This information collection (OMB Control Number 3245-0407) is currently approved under emergency proceedings until September 30, 2021. This request for emergency processing, includes a request for waiver of the requirement to publish the 60-day and 30-day public comment notices in the Federal Register.

SBA is requesting approval to implement changes to loan forgiveness forms SBA Form 3508, Paycheck Protection Program, Loan Forgiveness Application Form 3508, SBA Form 3508EZ, Paycheck Protection Program, PPP Loan Forgiveness Application Form 3508EZ, and SBA Form 3508S, Paycheck Protection Program, PPP Loan Forgiveness Application Form 3508S. Among other things, the three forms were revised as follows:

- To reflect changes made to the calculation of payroll costs by Schedule C filers for PPP purposes under the interim final rule titled “Business Loan Program Temporary Changes; Paycheck Protection Program Revisions to Loan Amount Calculation and Eligibility” (Loan Amount Calculation Rule).
- To incorporate payroll cost exclusions required by the American Rescue Plan Act. (P.L. 117-2).
- To delete the question (and instructions) related to the SBA Form 3509, Loan Necessity Questionnaire (For-Profit Borrowers) and SBA Form 3510, Loan Necessity Questionnaire (Non-Profit Borrowers) that SBA is requesting approval to discontinue.

SBA has also made revisions to the SBA Form 3508S and Instructions, the SBA Form 3508D, and [No Form Number] Lender Reporting Requirements Concerning Requests for Loan Forgiveness to reflect changes made under the interim final rule titled “Business Loan Program Temporary Changes; Paycheck Protection Program – COVID Revenue Reduction Score, Direct Borrower Forgiveness Process, and Appeals Deferment.”

SBA has also made a revision to [No Form Number] Lender Reporting Requirements for Loan Review related to the discontinuance of the SBA Form 3509, Loan Necessity Questionnaire (For-Profit Borrowers) and SBA Form 3510, Loan Necessity Questionnaire (Non-Profit Borrowers).

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Finally, SBA is requesting approval to discontinue SBA Form 3509, Loan Necessity Questionnaire (For-Profit Borrowers) and SBA Form 3510, Loan Necessity Questionnaire (Non-Profit Borrowers).

The authority for the program expired on June 30, 2021. There is an urgent need to make the revised forgiveness forms available as soon as possible because (a) borrowers are continuing to apply for forgiveness and it is important that borrowers are able to use forms with the most updated information, and (b) there is a short period of time before certain borrowers will be required to begin making principal and interest payments on their loans if they have not yet applied for forgiveness with their lenders, and the changes to the SBA Form 3508S will allow the borrowers to have another alternative to submit their forgiveness applications. Therefore, given the urgent need to make the revised information collection available to the affected small businesses and nonprofits, SBA cannot comply with the standard review and approval procedures. Accordingly, SBA is requesting that OMB review and approve the revised information collection under the emergency procedures set forth in 5 CFR 1320.13.

Sincerely,

Jihoon Kim
Director, Office of Financial Program Operations